

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
June 1 - 7:00 P.M.**

ROLLCALL Answering rollcall were Members Faust, Hovland, Kelly, and Mayor pro tem Maetzold.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Hovland and seconded by Member Faust approving the Council Consent Agenda as presented.

Rollcall:

Ayes: Faust, Kelly, Hovland, Maetzold

Motion carried.

***MINUTES OF THE REGULAR MEETING OF MAY 17, 1999, APPROVED** Motion made by Member Hovland and seconded by Member Faust approving the Minutes of the May 17, 1999, Regular Council Meeting.

Motion carried on rollcall vote - four ayes.

RESOLUTION ADOPTED ORDERING GLENGARRY PARKWAY STREET RESURFACING IMPROVEMENT A-186A Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Assistant Engineer Houle explained the Glengarry Parkway Street Resurfacing project was staff initiated after public testimony during the Highlands Park Street Improvement project public hearing revealed that residents believed Glengarry also needed resurfacing. Assistant Engineer Houle said he had been in error when he said that the south portion of Glengarry had been sealcoated last year. Streets sealcoated a year ago were Dundee, Chantrey and Mirror Lakes. The south part of Glengarry has major and minor block cracking as well as edge cracking throughout. This portion of Glengarry was constructed in 1957 and has had normal sealcoat maintenance as well as skin patching. The project would consist of reclaiming the street without curb and gutter, but all drainage concerns including sump pumps would be addressed. The portion to be resurfaced would be from Vernon Avenue north to Ayrshire Boulevard. The estimated cost for the project would be \$32,400 with assessments of \$2,400 per lot spread over ten years.

Assistant Engineer Houle said staff recommends authorizing the project and including it with the Highlands reclamation project A-186.

Council comment

Member Hovland inquired if drainage concerns could be addressed without curb and gutter. Assistant Engineer Houle commented the majority of the drainage concerns occur at the intersection of Glengarry and Ayrshire. Plans include pulling pipe and placing catch basins along Ayrshire to adequately handle the problems.

Minutes/Edina City Council/June 1, 1999

Member Faust asked if any negative comments had been received from the neighborhood. Assistant Engineer Houle said he had received a couple phone calls from residents planning construction projects who voiced concern regarding access to their property. He reiterated he had not received any negative calls on the proposed project. Member Faust calculated costs at \$240 per year plus interest. Assistant Engineer Houle concurred.

Public comment

Rod Fordahl, 5529 Glengarry Parkway, asked if curb and gutter installation had ever been considered in the area. He noted he personally would spend more to get more value out of the project. He does not believe reclamation adds any value to his property. Assistant Engineer Houle replied the Highlands Park area had been surveyed twice regarding curb and gutter, but the majority of the residents showed no interest in having curb and gutter installed.

Member Faust inquired whether it is too late to circulate a petition for curb and gutter. Engineer Hoffman noted that normally residents are split on curb and gutter installation.

Member Kelly said the decision of whether to circulate a petition would be up to Mr. Fordahl. Engineer Hoffman said it could be possible at another time.

Mayor pro tem Maetzold reminded the Council the reclaiming project had been ordered and would be constructed now whether or not a petition is circulated for curb and gutter. That project could be ordered at a later date.

Engineer Hoffman reminded the Council of the process that must be followed with a petition.

Member Kelly said he was not suggesting that the process of re-noticing and re-hearing the project unless a petition were received giving the Council enough basis to get to that point. Engineer Hoffman stated he believes it would require a 100% petition for the improvement to be ordered and the affected residents would also need to waive the right to a public hearing.

Member Kelly made a motion introducing the following resolution and moving its adoption:

RESOLUTION ORDERING IMPROVEMENT NO. 186a GLENGARRY PARKWAY STREET RESURFACING

WHEREAS, pursuant to a resolution of the Council adopted on May 17, 1999, setting the public hearing on June 1, 1999, and

WHEREAS, pursuant to the resolution of the Council, a report has been prepared by the Edina City Engineer with reference to the Brookside Heights Neighborhood Street Recycling, Bituminous Resurfacing on Glengarry Parkway from Vernon Avenue to Ayrshire Boulevard, Improvement No. A-186a and this report was received by the Council on May 17, 1999; and

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given and the hearing was held thereon on the 1st day of June, 1999, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED, by the Edina City Council:

1. The Glengarry Parkway Street Recycling, Bituminous Resurfacing on Glengarry Parkway from Vernon Avenue to Ayrshire Boulevard is hereby ordered as proposed.;
2. The Edina City Engineer is hereby designated as the engineer for this improvement. The City Engineer shall prepare plans and specifications for the making of such improvement.
3. The City Engineer is hereby authorized to advertise and take bids for the Glengarry Parkway Street Recycling and Bituminous Resurfacing on Glengarry Parkway from Vernon Avenue to Ayrshire Boulevard, Improvement No., A-186a.

Adopted by the Council this 1st day of June, 1999. Member Hovland seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

PUBLIC HEARING - MERRITT CIRCLE CURB AND GUTTER IMPROVEMENT A-186B NOT INCLUDED IN HIGHLANDS PARK STREET RECONSTRUCTION IMPORVEMENT Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Assistant Engineer Houle noted that during the public hearing May 1, 1999, for Improvement Project A-186 curb and gutter were requested for inclusion with the project. However, staff found in response to its third neighborhood survey that eight residents do not want any curb, five would like surmountable curb and gutter, and one would like bulkhead curb and gutter. Based on these results staff does not recommend the addition of curb and gutter, but noted that it would be feasible if Council desired to order its addition to the improvement project. If a surmountable type curb and gutter is added to the project its estimated cost would be \$30,500. Funding would be from special assessments of approximately \$1,900 per assessable lot and would be added to the pending assessment for Improvement A-186.

Mayor pro tem Maetzold called for public comment. No one appeared to speak.

Council Action

Member Kelly made a motion to not add any curb and gutter for Merritt Circle to the Highlands Neighborhood Street Reconstruction Project A-186. Member Hovland seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

PUBLIC HEARING CONTINUED UNTIL JULY 6, 1999 BROOKVIEW AVENUE AND WEST 56TH STREET CURB AND GUTTER IMPROVEMENT B-096 Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Minutes/Edina City Council/June 1, 1999

Engineer Hoffman indicated the City has received a petition from 27 of the 31 residents in the neighborhood to install bulkhead style concrete curb and gutter along Brookview Avenue from Woodland Road to West 56th Street and along West 56th Street from Oaklawn Avenue to Park Place. Currently residents are experiencing erosion problems along their front and side yards from surface water runoff. Staff has analyzed the project and feels the project is feasible. The estimated cost of the project is \$99,400. Funding for this project would be from a special assessment of approximately \$47 per assessable front footage or approximately \$2,800 per typical 60-foot lot. Sideyards on 66th Street would be assessed at one-third the front yard rate.

Assistant Engineer Houle said the subject area is located on West 56th Street from Oaklawn Avenue to Park Place Avenue, and Brookview Avenue from Woodland Road to West 55th Street. The bituminous would be removed, curb and gutter installed, the bituminous would be patched back in, boulevard areas restored with sod, and sprinkler systems would be repaired. He added that since the proposal is for bulkhead type curb and gutters, driveway aprons would be installed. Staff recommended approval.

Council comments

Mayor pro tem Maetzold asked if the survey results would have been different if the initial survey stated \$47 per assessable foot. Assistant Engineer Houle said he had expected to receive a petition stating residents dismay with the higher price. Mayor pro tem Maetzold reminded the Council that the petition showed 27 of 31 residents approving the improvement and noted it would take a larger number of dissenting individuals to make a difference.

Member Hovland asked what the difference would be between the bulkhead insurmountable curb and would the surmountable curb help solve the problems the neighbors have. Assistant Engineer Houle stated that surmountable curb would not solve the problems on 56th Street because of the street grade where the water must be captured at the catch basin. Engineer Hoffman noted on Brookview, surmountable curb could be installed but not on 56th Street. The cost per assessable foot would be reduced to the mid-thirties if surmountable curb were to be installed.

Public comment

John Kellogg, 5529 Brookview, explained that Brookview is part of South Harriet Park and there is no curb and gutter in any of those neighborhoods. He took an informal survey and discovered six residents who wanted to change their vote because of cost or aesthetic reasons. He believes the area should be re-surveyed and the results would be 50% lower than the 27 who previously requested the project. He volunteered to help with the survey and suggested asking residents what type of curb and gutter they would prefer. He concluded that South Harriet Park is a community of itself and installation of a big curb and gutter would detract from the neighborhood aesthetics as well as not be necessary since recent rains seem to be handled well.

Doug Voyda, 5601 Oaklawn Avenue, stated the petition was not circulated to his home. His driveway is located at the corner of Oaklawn and 56th and exits onto 56th Street. The

driveway is currently below road grade and water backs into his garage now. If curbs were raised he believes a dam would be created. Assistant Engineer Houle said Mr. Voyda's concerns could be addressed with the engineering department.

John Everett, 5600 Park Place, questioned how special assessments were calculated for sideyards. He stated he is favor of installation of curb and gutters and believes good bulkhead curbs make sense because of drainage issues. He said maybe it would be worthwhile to re-survey residents again about the curb and gutter installation. Engineer Hoffman said staff tries to hit the high estimate so when actual bids come in the number is lower.

David Liebl, 5536 Park Place, suggested residents of the area be re-surveyed.

Member Faust said she believed since there is a dramatic difference in the estimates, there is no choice but to re-survey.

Member Hovland agreed the City should re-survey, but he suggested some options be included. If, from an engineering standpoint; problems could be solved with surmountable curbs on Brookview but bulkhead on 56th Street, alternatives could be offered.

Member Hovland made a motion to continue the Brookview Avenue and West 56th Street curb and gutter improvement B-096, to July 6, 1999, to re-survey residents. Member Kelly seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

RESOLUTION ADOPTED ORDERING CORNELIA ELEMENTARY SCHOOL NEIGHBORHOOD SIDEWALK IMPROVEMENT S-077 Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Engineer Hoffman noted that the area was part of a four part traffic safety program in 1998. He added that the proposed sidewalks are four feet wide. Engineer Hoffman pointed out the City's equipment cannot maintain a four foot sidewalk, that the equipment needs at least a five foot sidewalk.

Assistant Engineer Houle explained that the Cornelia Elementary School Site Council (including 13 Edina residents) petitioned the City to install sidewalks along Cornelia Drive at the Cornelia Elementary School entrance, Mavelle Drive and West 72nd Street from Cornelia Drive to Lynmar Lane. Staff analyzed the request and felt the project was feasible.

The estimated project cost would be \$67,000 with funding from special assessments to affected properties. The special assessment would be approximately \$350 per assessable lot based upon an area assessment.

Minutes/Edina City Council/June 1, 1999

Public Comment

Kathy Campbell, 7201 Bristol Boulevard, stated that the majority of the Cornelia Elementary School population comes from the north. She added that because of Edina's excellent snow plowing it is not realistic to expect homeowners to shovel or plow the proposed sidewalk. Engineer Hoffman noted that Ms. Bristol resides on a "red" route so there are many passes of the plows by her home after each snow.

Geraldine Johnson, 7137 Cornelia Drive, reported results of a survey she took between 9:00 - 10:00 a.m. on May 24, 1999. Ms. Johnson observed 52 cars traveling west, 91 traveling east, but no children or adults walking. A little after 9:00 a.m. a school bus came down 72nd, but no children were walking. She added that she cannot keep up with snow removal on her driveway now, and will never be able to clear a sidewalk.

Sue Dewees, 7100 Bristol Boulevard, stated she surveyed her street from 8:30-9:15 a.m. and again from 2:30-4:30 p.m. Ms. Dewees reported she saw no one walking. In her opinion, the sidewalks are not warranted. The neighborhood issue is traffic.

Bob Rofidal, 7125 Bristol Boulevard, stated traffic is the problem. Safety of children is the main issue. Edina Schools are currently bussing children within the .7 mile walk zone. The City created the problem, so in his opinion, the City should pay for the installation and maintenance of the sidewalks.

Tom Mode, 7100 Heatherton, asked if the design has been completed for the proposed improvement. Assistant Engineer Houle explained the sidewalk will be a boulevard sidewalk. If the topography is too steep a retaining wall will be installed otherwise the land will be graded and resodded. Mr. Mode continued stating that traffic is an issue and should be worked on by the City. He added that child safety is a concern and that the City should maintain the sidewalks for this reason also.

Sue Bucknam, 7136 Gloucester Avenue, stated that she would like to amend the comments she made in her May 13, 1999, letter against installing sidewalks. She asked if more could be accomplished with installation of STOP signs.

Jerry Dewees, 7100 Bristol Boulevard, asked if the sidewalk were put in who would clear the snow. He stated the cost of a snowblower would be approximately \$1,000. Mr. Dewees also questioned whose responsibility liability insurance would be and who would maintain (i.e. repair cracks) the sidewalk. Engineer Hoffman explained that homeowners would have 72 hours to clear snow. If they do not clear the snow, the City would clear it and assess the cost to the homeowner. However, if the homeowner is responsible for maintenance then they would need to keep the sidewalk on their property in repair.

Judy Lamb, 7200 Gloucester Avenue, said the reason sidewalks are even being contemplated is because of traffic. She offered the suggestion that Lynmar Lane and West 72nd Street be blocked off with concrete pillars slowing and removing traffic.

Charles Lamb, 7200 Gloucester Avenue, stated he wanted to emphasize the importance of the City being responsible for snow removal. Mr. Lamb said each winter about 25 gallons of sand and salt are deposited on his front yard by plows. The City must maintain the sidewalks.

Diane Martens, 7112 Bristol Boulevard, stated she was the Chair of the Cornelia Elementary School Safety Committee. Their goal was to make the entire area safer. Ms. Marten stated the reason no children are walking is because parents drive their children to school to avoid walking on the busy streets. All neighborhood children .7 miles from school would be walking if sidewalks were installed. Member Kelly asked if the Site Council had held an informational meeting for the neighborhood. He noted there was not any data indicating how many children are affected by sidewalks. Ms. Martens replied that no informational meeting had been held by the Site Council, just the informational meeting that the Engineering Department held about the sidewalks.

Marvin Schumeister, 7128 Heatherton Trail, stated that between 9:00 a.m. and 4:00 p.m. he has seen busses and parents meeting children on busses, but has never seen even one child on West 72nd Street. Mr. Schumeister urged no sidewalk on West 72nd Street. He also said sidewalks would be impossible to maintain.

Chris Witesell, 7116 Bristol Boulevard, supported the sidewalk installation. She stated the reason neighbors currently do not see children walking is because West 72nd is a dangerous place to walk. Sidewalks are needed for all pedestrians, not just school children.

Seth Johnson, 7121 Heatherton, stated that he believed children need to be taught where to walk and to stay out of busy streets. He added his biggest objection has been the maintenance of the sidewalk.

Tom Mode, 7100 Heatherton Trail, said that during the rezoning issue 18 months ago traffic was discussed. Traffic is a City issue and should be dealt with by the City.

Mike Weinkauff, 4545 Valley View Road, stated he was the Cornelia Elementary School Site Council Chair and a teacher at Cornelia Elementary. Mr. Weinkauff said the Site Council studied the traffic issue. Last year they hired a traffic engineer and surveyed parents who were driving their children. The pick up/drop off zone has been redesigned. This has helped but still a problem exists with traffic. He reported that May 17, 1999, a child was struck by a car and his leg broken. Mr. Weinkauff said it took him several minutes to cross the street to go and comfort the child. Cornelia Elementary School is projected to have a 7% growth rate. The population of students walking to school is going to increase and sidewalks are vital to keeping these children safe.

Rhonda Deutsch, 7101 Heatherton Trail, asked that the two sidewalks be looked at independently. She added the child who was injured was on 70th Street when the accident happened.

Council Action

Member Kelly asked if the City plows West 70th Street. Engineer Hoffman replied that the City plows the sidewalks on all state aid streets, however, those sidewalks are five feet wide.

Member Hovland asked if the City maintains sidewalks on snow emergency streets. Engineer Hoffman responded that there is a policy where sidewalks are maintained on school safety routes.

Member Faust commented that all residents are the City of Edina, not just the Council and staff. All residents are the City and benefit from improvements. She added that she would support the sidewalks but believes five foot wide sidewalks should be considered to allow maintenance by City equipment.

Mayor pro tem Maetzold agreed with Member Faust. He questioned if the sidewalks could be built five feet wide and maintained by the City. Engineer Hoffman said that this is a policy decision for the Council to consider.

Member Hovland asked the overall impact if the City designates the two street's sidewalk be maintained by the City and change their policy regarding school zone sidewalks. Engineer Hoffman said there would be very little impact because most of Edina's schools are on state aid streets.

Member Hovland stated he believed the tone was set months ago. The sidewalks are being incorporated into the Comprehensive Plan. He believes that sidewalks enhance safety and if Public Works can handle maintaining additional sidewalk then he would support the five foot sidewalk.

Mayor pro tem Maetzold added that he supported City maintained five foot sidewalks.

Member Hovland made a motion introducing the following resolution and moving its adoption:

RESOLUTION

ORDERING IMPROVEMENT NO. S-077 CORNELIA

ELEMENTARY SCHOOL NEIGHBORHOOD SIDEWALK

WHEREAS, pursuant to a resolution of the Council adopted on May 3, 1999, setting the public hearing on June 1, 1999, and

WHEREAS, pursuant to the resolution of the Council, a report has been prepared by the Edina City Engineer with reference to the Cornelia Elementary School Neighborhood Sidewalk Improvements S-077 and this report was received by the Council on June 1, 1999; and

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given and the hearing was held thereon on the 1st day of June, 1999, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED, by the Edina City Council:

1. Improvement No. S-077 Cornelia Elementary School Neighborhood Sidewalk Improvement is hereby ordered as proposed;
2. The Edina City Engineer is hereby designated as the engineer for this improvement. The City Engineer shall prepare plans and specifications for the making of such improvement.
3. The City Engineer is hereby authorized to advertise and take bids for Improvement No. S-077 Cornelia Elementary School Neighborhood Sidewalk Improvement
4. The sidewalks after installation shall be maintained by the City of Edina.

Adopted by the Council this 1st day of June, 1999. Member Faust seconded the resolution.

Roll call:

Ayes: Faust, Hovland, Kelly, Maetzold

Resolution adopted.

RESOLUTION ADOPTED ORDERING COUNTRYSIDE ELEMENTARY SCHOOL NEIGHBORHOOD SIDEWALK IMPROVEMENT S-076 Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Engineer Hoffman informed the Council this proposed improvement was petitioned by the Countryside neighborhood with support from the Site Council. Approximately 40 persons signed the petition.

Assistant Engineer Houle said Countryside Elementary is located off Tracy Avenue. Vernon Avenue is to the north and Arbour Avenue and Olinger Road are on the westerly side. Locations of the proposed sidewalks are along Stuart Avenue and Grove Street. The proposal was submitted in the Comprehensive Plan to the School District. An informational meeting was held on May 19, 1999, where 10 residents attended.

Traffic Issues:

- STOP Signs at Intersections
- Sight Line Along Grove Street
- School has Rearranged Pickup - Dropoff Sites

History:

- Three out of Five Stuart Avenue Residents Prefer Boulevard Style Sidewalks
- Three Large Trees Along Proposed Alignment
- Maintenance of Sidewalks (snow removal)

Project:

- 4 foot wide boulevard sidewalk on Stuart Avenue
- 5 foot wide back-of-curb sidewalk on Grove Street

Costs:

\$27,000

Assessment:

- | | |
|-------------------------------|----------|
| • School District Costs (25%) | \$ 6,700 |
| • City Cost (25%) | \$ 6,700 |
| • Neighborhood cost (50%) | \$13,400 |

Minutes/Edina City Council/June 1, 1999

or \$200 per Assessable Lot (which can be spread over 10 years)

Some interest was expressed at the informational meeting to extend the sidewalks down Grove, however, the proposal is to assess the area to the northwest where most students are located as well as on Grove Street.

Another project is being proposed which would include a pickup/dropoff bay between Benton Avenue and Countryside Road. The cost would be approximately \$28,000 and would be funded through Municipal State Aid Funds since Tracy is a State Aid Road. The parking bay would be similar to the bay in front of the Middle School off Valley View Road.

Staff recommends authorization of both projects.

Council Comment

Member Hovland voiced concern with a letter dated May 26, 1999, from April Egan and Kevin Lawless regarding traffic control issues at Grove Street and Arbour Avenue. Assistant Engineer Houle noted the subject would be before the Traffic Safety Committee at their next meeting.

Member Faust noted if the sidewalk were extended down Grove Street, which she agrees should happen, would the residents on Grove be assessed. Assistant Engineer Houle gave the reason why the assessment is being done in the manner it is because in the Comprehensive Plan the sidewalk would go to the south. If the sidewalk were extended along Grove to Olinger Road, some folks could be re-assessed. Member Faust said note should be taken that this could happen. Assistant Engineer Houle explained that the actual walking zone of the School goes to Olinger Road and up to Vernon Avenue and over to Tracy. If the sidewalk would be extended at a future date, it would still fall into the 25% category of the school/25% of the City, 50% for residents.

Engineer Hoffman indicated at Countryside the assessment would be \$200/lot, at Cornelia the assessment would be \$350/lot and if two sets of sidewalks were installed, the cost could be \$400/lot to do the sub-area or similar to the Cornelia assessment.

Public Comment

Kevin Lawless, 5809 Grove Street, noted he submitted a letter which was in the packet. He said he has lived at the corner of Grove and Arbor for 15 years. The proposed sidewalk at the corner will have a blind point from all three directions. Mr. Lawless noted one suggestion that came forward at the informational meeting was to place the sidewalk on the Good Samaritan Church side as well as down the north side of Grove. While he does not object to that suggestion, he expressed concern the 'spur' will be attractive to being dangerous if additional safety measures are not taken. Mr. Lawless added his home is unique having the only sidewalk on Grove. He voiced concern with snow removal as his lot is a dumping spot. Assistant Engineer Houle said he reviewed installing sidewalk on the north side of Grove Street between Wycliffe and Stuart, however, the grades are problematic. Mr. Lawless added the petition for this project was for Stuart Avenue sidewalk and not for Grove Street. He is

concerned being the only resident on Grove and suggested he would like to be included in the bigger project area. After speaking to neighbors, there are mixed ideas on installation of sidewalks on the entire length of Grove Street.

Susan Clark, 5812 West 61st Street, President of the Countryside Site Council, gave support for the sidewalk plan as presented through the petition. She believes it is imperative to establish a safe route to the school for neighborhood children. Ms. Clark added currently children are bussed because Stuart is unsafe. Installation of the sidewalks would protect the neighborhood children walking to and from school and the Site Council supports the petition as presented.

Lynn Gallup, 5932 Grove Street, said he has lived on the corner for 25 years. He walked his son to Countryside School for four years down Grove Street. Traffic has increased as well as speeds. He suggested, 1) running the sidewalks to Arbor, 2) installation of STOP signs at Wycliffe and Grove, and, 3) consider installation of sidewalks on the north side of the church property.

Karen Goldaris, 5701 Wycliffe, said she was co-author of the petition, explained she walked her child to school because of the dangerous path. The petition was authored for walkers safety traveling down Stuart because of the competition with busses and cars dropping off students. The corner is awkward and Mr. Gallup's suggestion of installation of a sidewalk on the church property was good. In addition, the Grove sidewalk directly across from Stuart would help become a safe landing for walkers. She informed the Council many students at Countryside attend Good Samaritan and walk down Stuart which has an unsafe hill accessing Arbour. She added snow removal should be the City's responsibility because of the many elderly neighborhood residents. Engineer Hoffman commented that a sidewalk could be added on the north side as well as on the south side by Good Samaritan.

Leffert Tigelaar, 5816 Stuart Avenue, voiced concern with the scope of the project. He would favor a more comprehensive project affording a bigger community benefit. Mr. Tigelaar sits on the Site Council, but was speaking as a Stuart Avenue resident. He compared neighborhoods in south Minneapolis where the benefit of sidewalks are felt all year rather than just the 170-day school year. Safety will be improved, however, he was disappointed no traffic counts have been presented as well as number of children on the road during peak times. Mayor pro-tem Maetzold said the packet information included that information. Mr. Tigelaar added the School encroached on his property, i.e. markings in front of his driveway stating, 'School busses only', etc. At the corner of Benton and Stuart many school signs are placed on private property stating 'No Smoking on School Property' etc. making it seem like school property. The petition for sidewalk would benefit the school and the children attending the school. However, residents are responsible for all liability of the sidewalk as well as its maintenance. He requested snow removal be the responsibility of the City or the School. Looking out his windows he sees a whole block of paving with no screening. He said all drop-off traffic gets funneled from Tracy to Benton into the intersection of Benton and Stuart. The entrance to the School drop-off area would be changed at the School's expense. This would create a more gentle gesture towards them.

Minutes/Edina City Council/June 1, 1999

Nina Johnson, 5812 Grove Street, a signer of the petition said the petition is a long time in coming. She gave background that she has, 1) talked to Council Members, 2) complained about traffic obedience, 3) complained about busses driving too close to walkers, and 4) had Police in her driveway watching cars roll through the STOP signs. She stated she is grateful for anything that happens to get children off the street, around the corner and separate them from traffic. Most areas have a visibility factor, this is a funnel-system that heads directly to the school. The addition of the Grove Street property was not the petition's idea, however, it is a good idea to be included. At the point off Arbour Avenue and Grove Street, children standing on the edge of the sidewalk could see traffic coming and have a window of time to react to the traffic. However, on Stuart that is not the case because at Grove Street there is a slight decline so that cars approaching with no STOP sign heading west may not see a child at the side of the road. She concluded this is a minimal project and she would be very disappointed if the project became so big it did not go forward. She believes snow removal should be City's responsibility and indicated the problem has been created by the School.

Laurie Horns, 5721 Grove Street, said this issue has been going on too long. The petition she signed was for Stuart Avenue and wherever the sidewalk is being placed on Grove it has real site difficulty. She said she does not want to put her child into a car and add to the problem and she wants her child to walk to school. This is something that must be done this year.

Council comments

Member Hovland said he believes all traffic safety issues should be addressed as well as designating the route as a school safety route with 5 foot boulevard sidewalks and let the City care for it. He feels persuaded by Mr. Gallup and Mrs. Faust's comments regarding the sidewalk extension on Grove and believes the project should be done as the residents want now. He voiced concern with no contact with the Site Council regarding Grove Street.

Susan Clark, 5712 West 61st Street, reiterated that the Grove issue was not in the original plan nor part of the petition the City received but was in the original plan submitted that it could potentially be one site to be considered.

Member Faust voiced support for the project, but suggested the Council consider the small sidewalk by the Church. She believes the City needs to be cognizant of Mr. Tigelaar's problem that he has lived on a parking lot. He does not have a street so as the sidewalk is designed, it should be designed to make it look like part of a street instead of a parking lot.

Member Kelly voiced support of the project.

Member Kelly introduced the following resolution and moved its adoption:

RESOLUTION

ORDERING IMPROVEMENT NO. S-076 COUNTRYSIDE ELEMENTARY SCHOOL NEIGHBORHOOD SIDEWALK

WHEREAS, pursuant to a resolution of the Council adopted on May 3, 1999, setting the public hearing on June 1, 1999, and

WHEREAS, pursuant to the resolution of the Council, a report has been prepared by the Edina City Engineer with reference to the Countryside Elementary School Neighborhood Sidewalk Improvements S-076 and this report was received by the Council on June 1, 1999; and

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given and the hearing was held thereon on the 1st day of June, 1999, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED, by the Edina City Council:

1. Improvement No. S-076 Countryside Elementary School Neighborhood Sidewalk Improvement is hereby ordered as proposed;
2. Improvement No. S-076 shall include the addition of sidewalk along Stuart Avenue from Countryside Elementary School to Grove Street and along the south side of Grove Street from Stuart Avenue to Arbour Avenue and along the north side of Grove Street from Stuart to Wycliffe Road. The Edina City Engineer is hereby designated as the engineer for this improvement. The City Engineer shall prepare plans and specifications for the making of such improvement.
3. The City Engineer is hereby authorized to advertise and take bids for Improvement No. S-076 Countryside Elementary School Neighborhood Sidewalk Improvement
4. The sidewalks after installation shall be maintained by the City of Edina.

Adopted by the Council this 1st day of June, 1999. Member Faust seconded the resolution.

Roll call:

Ayes: Faust, Hovland, Kelly, Maetzold

Resolution adopted.

HEARING DATE SET FOR JUNE 15, 1999, FOR EDINA'S COMPREHENSIVE PLAN FOR YEARS 1999 - 2005 Planner Larsen presented the Council with a draft copy of Edina's Comprehensive Plan for the years 1999 - 2005, and requested a hearing date for June 15, 1999.

After a brief Council discussion, **Member Kelly made a motion setting June 15, 1999, as hearing date for Edina's Comprehensive Plan for years 1999 - 2005.** Member Faust seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

METROPOLITAN RADIO BOARD ANTENNAE REQUEST RECEIVED Assistant Manager Anderson reported that staff has been working with the Metropolitan Radio Board and some commercial carriers to co-locate a number of antennas on the Gleason water tower. Concerns with the Gleason Tower included:

- Painting the tower would be impossible with the equipment on top;
- Magnitude of equipment proposed to be placed on top
- Potential for tower problems with the number of tank penetrations needed to install the equipment
- Coordination of installation and administration
- Aesthetics of proposal; and
- Lease Complications.

Minutes/Edina City Council/June 1, 1999

Assistant Manager Anderson reported that staff reviewed alternative sites for the Metropolitan Radio Board (MRB) tower. The Board reviewed the alternative and selected the site south of Braemar Arena. Assistant Manager Anderson reviewed reasons MRS needs to locate in this area: 1) tower sites serving Hennepin County must be spaced 6-8 miles apart to provide adequate performance; 2) the high density coverage drives the need for a site located near the Gleason Tower; and, 3) the 800 mhz radio system includes 16 transmitter/receiver sites.

Assistant Manager Anderson reviewed the MRB proposal that would place a freestanding tower on top of the hill immediately south of Braemar Ice Arena. The tower would be a tripod type tower 180 feet tall with 22 feet between each leg at the base. It would hold four 20 foot whip antennas, two 4 foot and one 6 foot microwave antennas (required to loop communications to other sites). He presented renderings of the proposed tower depicting the view from the arena parking lot, Dewey Hill and Gleason Roads. He stated that staff was asking Council to consider conceptual approval of the proposed tower and for direction on the lease terms. Assistant Manager Anderson noted that lease issues to consider were: 1) County's desire for a "no-charge" land lease; 2) the project is 100% governmental (MNDot, State Patrol, Metro Transit, Hennepin County (Sheriff/EMS) Carver County, Minneapolis, and potentially Edina/Richfield; 3) Hennepin County will incur additional design/construction cost of between \$175,000-\$200,000; 4) this location affords opportunity for co-location of commercial users (2-3 leases dependent upon antenna array requirements); and, 5) opportunity for revenue sharing of commercial uses rental (Hennepin County proposed 30-40%). He added the Metropolitan Radio Board is on a tight time frame needing to begin construction by August or September. If the Council grants concept approval it would have an opportunity to approve the lease terms at a future meeting.

The Council discussed the various issues relating to locating tower antenna such as requested by the Radio Board in Edina. Concern was expressed regarding: 1) relocating existing antenna so as not to have them in so many places; 2) meeting the needs of commercial contractor relative to frequency of tower and height of towers; 3) the Metro Radio Board's request and its impact on the surrounding neighborhood; 4) the City receiving an appropriate share of the commercial lease revenue; 5) the Metropolitan Radio Board paying Edina for the land instead of a no charge lease; 6) costs the City has incurred or will incur relative to a tower located in Edina; 7) whether or not the tower must be located in Edina; and 8) the potential for Hennepin County condemning land for the tower. The Council asked questions regarding why the tower needed to be located in Edina and at its proposed location, how the lease terms would be negotiated and could other tower requests be expected in the future.

Roger Lawrence, Hennepin County Sheriff Communications Manager, stated he was also a member of the Metropolitan Radio Board. Mr. Lawrence thanked the Council for considering the Board's request to locate a tower in Edina. He attempted to respond to some of the Council questions and concerns. He noted that APT has previously indicated a tower in the Braemar Arena area would be acceptable. Mr. Lawrence stated he believed that many more

requests for antennas will be forthcoming because of increased cell usage. He added that Hennepin County's request was not a no charge land lease, but instead the County would pay Edina \$2,000/year. This antenna location is unique for Hennepin County because in most other areas they can locate on their own land. However, in Rogers, a building is located on the City of Rogers' land. Mr. Lawrence added that he could perhaps consider a 50/50 split of commercial lease revenue. He informed the Council one of the reason that the Braemar location was selected is because of its elevation. When a tower exceeds 200 feet, the FAA requires the tower to be lighted. The ideal location for a tower on the 800 mhz system in the intersection of Gleason and Crosstown. The proposed located is about a mile from that perfect spot.

Mayor pro tem Maetzold made a motion to approve the tower concept and a lease sharing the revenue from commercial co-locators 50/50. Member Hovland seconded the motion.

Member Kelly made a motion to amend the original motion suggesting the land lease be as follows: Charge Hennepin County the greater of actual cost Edina incurs during the year or the amount paid in that given year to the City of Rogers. He would expect the City of Edina to receive the entire amount of any commercial leases located on the County tower. Member Kelly stated that the Gleason tower commercial providers should be put on notice that they are going to be required to co-locate on the Braemar tower. Member Hovland seconded the motion. Mr. Lawrence clarified his understanding of Member Kelly's terms. Mr. Lawrence indicated that he would have a very difficult time getting County approval with those terms. The Council discussed the terms as laid out by Member Kelly. Following a brief discussion **Member Kelly amended his amendment to the original motion removing any specific lease term directing staff to negotiate the best location and terms for the City of Edina to be brought back before the Council for final approval.** Member Hovland seconded the amendment.

Ayes: Faust, Hovland, Kelly, Maetzold.

Amended motion carried

Mayor pro tem Maetzold restated the amended motion: **Motion made by Mayor pro tem Maetzold, seconded by Member Hovland to approve the tower concept and direct staff to negotiate the best location and lease terms with the County for the tower to be brought back before the Council for final approval.**

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

PARKWOOD KNOLLS RESIDENTS TRAFFIC CONCERNS EXPRESSED Tom Buetell, 6204 Parkwood Road, presented fifty letters from residents in the Parkwood Knolls neighborhood expressing their dismay with the increase in vehicular traffic, and requesting immediate attention by the Council.

Council directed staff to review the Parkwood Knolls traffic issue in the Traffic Safety Committee.

Minutes/Edina City Council/June 1, 1999

LETTER OF RESIGNATION RECEIVED Mayor pro tem Maetzold informed the Council a letter of resignation dated May 27, 1999, was received from Glenn Smith resigning his position as Mayor of the City of Edina. Manager Hughes shared a copy of a memorandum from Attorney Gilligan concerning an outline of the process to fill the vacancy. The process is complicated and it may be advisable for the Council to have time to reflect on the processes.

Following a brief discussion, a Special Council Meeting was set for June 8, 1999, at 6:00 P.M.

CLAIMS PAID Motion made by Member Faust approving payment of the following claims as shown in detail on the Check Register dated May 26, 1999, and consisting of 34 pages: General Fund \$290,713.46 ; C.D.B.G. \$516.00; Communications \$3,148.58; Working Capital \$13,225.99; Art Center \$14,442.29; Golf Dome Fund \$1,366.38; Swimming Pool Fund \$8,175.85; Golf Course Fund \$66,565.82; Ice Arena Fund \$8,218.29; Edinborough/Centennial Lakes \$17,486.63; Utility Fund \$298,451.75; Storm Sewer Utility Fund \$611.56; Liquor Dispensary Fund \$195,429.02; Construction Fund \$13,513.93; Park Bond Fund \$49,223.00; TOTAL \$981,088.55. Member Hovland seconded the motion.

Rollcall:

Ayes: Faust, Kelly, Hovland, Maetzold

Motion carried.

There being no further business on the Council Agenda, Mayor pro tem Maetzold adjourned the Council Meeting at 11:15 P.M.

City Clerk